to do it, but you don't have the capability ... to fire three shots controlled with accuracy, this boy couldn't do it."

Commission Assistant Counsel Wesley J. Liebeler asked, "You base that judgment on the fact that, in your own experience, it is difficult to do that sort of thing?"

"Mr. Andrews: You just don't pick up a rifle or a pistol or whatever weapon you are using and stay proficient with it. You have to know what you are doing.... Somebody else pulled the trigger ... It's just taking the 5 years (experience) and thinking about it a bit. I have fired as much as 40,000 rounds of ammo a day for 7 days a week. You get pretty good with it as long as you keep firing. Then I have gone back after 2 weeks. I used to be able to take a shotgun, go on a skeet, and pop 100 out of 100. After 2 weeks, I could only pop 60 of them. I would have to start again, same way with the rifle and machineguns. Every other person I knew, same thing happened to them. You just have to stay in it."

Assuming what was never true, that Oswald was a skilled marksman, how, where and with what did he practice to maintain this skill? There is testimony from a number of witnesses proving that a person been at shooting galleries and looking like Oswald was not and could not have been him. There remains only the word of Marina, and all she said was that in New Orleans she saw him practice using the bolt and the scope, "dry runs", with a weapon she did not recognize, and in the dark! Even her unbelievable allegation that Oswald fired one bullet at General Edwin Walker is entirely without support. The expert testimony by FBI Ballistics Expert Robert A. Frazier was that he could not state even the manufacture of either the rifle or the bullet (3H429-40). The only bullet the Commission ever "knew" Oswald fired from his rifle was this Walker bullet.

Oswald's marksmanship in the Marine Corps, several years earlier, was poor, despite the efforts of the Report to establish otherwise. It nonetheless concludes "that Oswald had the capability with a rifle which enabled him to commit the assassination" (R19,195). The method by which this transformation was accomplished is of admirable simplicity: First, make invalid comparisons and then, when you get the best possible testimony, if it does not suit your purpose, just keep scraping the barrel until you do get what you want.

During his Marine Corps career, Oswald was twice tested in marksmanship. The first time came after an extensive period of training and under skilled supervision, with an excellent weapon with which he was thoroughly familiar and ammunition of unquestioned dependability. After first firing at least 250 rounds, he just managed to make the grade mistakenly called "Sharpshooter". This is one of three designations used by the Services to describe rifle skill. It is actually only the middle grade, the top being "Expert Rifleman". At that time, Oswald did make the middle grade, not far the top. In a later test, when not under the intensive training, he did very badly. He just made the very bottom of the lowest grade that everybody has to make, placing but a single bullet over the absolute minimum in the target. And even this was with a known weapon he had fired several hundred times and handled regularly!

The Commission asked the Marine Corps for information "relative to Marksmanship capabilities of Lee Harvey Oswald". From the Headquarters of the Marine Corps came a response dated June 8, 1964, by Lieutenant-Colonel A. G. Folsom, Jr., head of the Records Branch of the Personnel Branch, "by direction of the Commandant of the Marine Corps" (19H16-8). Colonel Folsom also correlated proficiency with practice. He stated, "The Marine Corps considers that any reasona-

ble application of the instructions given to Marines should permit them to be qualified as at least a marksman. To become qualified as a sharpshooter, the Marine Corps is of the opinion that most Marines with a reasonable amount of adaptability to weapons firing so become qualified. Consequently a low marksman qualification indicates a rather poor 'shot' and a sharpshooter qualification is a fairly good 'shot'."

So, Oswald at his military best was only "fairly good" and at the end of his service was a "poor shot".

To offset this destruction of its sand castle, the Commission compared Oswald with a number of men who have spent their lives firing and studying weapons, men of the highest competence, firing weapons regularly as part of their livelihoods for all or most of their adult years, men who had had scientific weapons training. Then on July 24, 1964, the Commission called James A. Zahm, a Marine non-commissioned officer in weapons training (11H306ff.). Zahm was willing to call Oswald a good shot. But even he specified a minimum of ten practice shots as prerequisite in the use of the telescopic sight (R192). And this, of course, assumed a good telescopic sight.

After deliberation, the Report concludes that Oswald's Marine experience, "his other rifle experience (a bad performance with a .22 rifle) and his established familiarity with this particular weapon (totally non-existent) show that he possessed ample capability to commit the assassination" (R195).

Just how easy were these assassination shots? Could the performance be regarded as within the "capability" of a man who was at the time less practiced than when the Marine Corps several years earlier had evaluated him as a "poor shot"?

The Commission arranged what it presumably considered a fair test, with its three genuine marksmen, "rated as master by the National Rifle Association" (R193). "The marksmen took as much time as they wanted for the first target and all hit the target. For the first four attempts, ... missed the second shot. ... Five of the six shots hit the third target ..."(R193). And they were firing at still targets, not moving, living things!

These three really were "masters". Two were civilians in the Small Arms Division of the Army's Development and Proof Services, and the third man was in the Army and had "a considerable background as a rifleman" (3H445). Yet even they were not able to do what the Report says Lee Harvey Oswald, the poor shot in the Marines, when out of practice, "had ample capacity to commit".

There is no reason to doubt that the ten-dollar rifle could be fired accurately. The improbability of an assassin ordering his weapon by mail when the same weapon was readily available locally (26H63) is not referred to in the Report, nor is his getting such a cheap weapon for such serious shooting. But the testimony of the experts is clear and unequivocal. The rifle could be fired accurately. (3H390ff.) Only not at the time of the assassination, and not when received at the FBI laboratories in Washington, for initial testing, or at Edgewood Arsenal for further tests.

Robert A. Frazier, the FBI's expert, said, "When we attempted to sight this rifle at Quantico we found that the elevation adjustment in the telescopic sight was not sufficient to bring the point of impact to the aiming point. ... every time we changed the adjusting screws to move the crosshairs in the telescopic sight in one direction it also affected the movement of the ... point of impact in the other direction." The defect in the sight was structural (3H405). So, "... we left the rifle (alone) as soon as it became stabilized and fired all of our shots with the point of impact actually high and to the right". Frazier did not know the nature of "the defect in the scope" but he had noticed a damage from which "the scope tube could have been bent or damaged" (3H406). After some experimentation, they learned that "you could take an aiming point low and to the left" and fire accurately (3H407). Such experimentation and adjustment were

the source of the ammunition. Oswald was never connected with either the ammunition or the clip in which it was contained. The clip did not come with the rifle. The empty cartridge cases from which the bullets were presumed to have been fired and the live cartridge had all been in this rifle on a previous occasion and/or in another unidentified and ignored rifle. Mysteriously, the police suspended their investigation of the source of the ammunition without tracing it to Oswald. The police also swore to contradictory and conflicting statements about what they did with the empty shells.

Nonetheless, the Report concludes that Oswald had the skill required for the assassination and that the rifle was the assassination weapon. What it does not ignore about the ammunition it is satisfied to presume, even in the presence of contrary evidence. It also presumes Oswald's possession of the rifle and ammunition and, on the basis of these presumptions, concludes that Oswald was the marksman who committed murder.

This is the official opinion of the Marine Corps, that Oswald was a "poor" shot.

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For Course "A", as shown above, qualification scores were as follows:

EXPERT -220; SHARPSHOOTER -210; MARKSMAN -190

For the Course marked "B", the qualification is:

EXPERT -225; SHARPSHOOTER -215; MARKSMAN -190

Regarding a comparison of the Marine Corps' requirements with those of the other services, it is believed that the requirements of the other services can be best obtained by you directly from those services. Enclosed, however, are copies of Marine Corps regulations describing the several marksmanship courses. These were effective at the time Oswald was on active duty in the Marine Corps.

The Marine Corps considers that any reasonable application of the instructions given to Marines should permit them to become qualified at least as a marksman. To become qualified as a sharpshooter, the Marine Corps is of the opinion that most Marines with a reasonable amount of adaptability to weapons firing can become so qualified. Consequently, a low marksman qualification indicates a rather poor "shot" and a sharpshooter qualification indicates a fairly good "shot". I trust the foregoing will serve the purpose of your inquiry.

A. G. FOLSOM, JR.
Lieutenant Colonel U. S. Marine Corps
Head, Records Branch, Personnel Department
By direction of the Commandant of the Marine Cor

Encl:
(1) Copies of MARCOR Regs
describing marksmanship courses

5. AT THE DEP

At about 12:30 p.m. th to Houston Street, went a c into Elm and was fired upon, the larynx and a massive he fatal. He lost much of the was hit near the right armp right nipple. His right wr wound in his left thigh. W toward Parkland Hospital at

This synopsis of the R that are not treated with e They are among the few that disbelief.

The language of the Re many central facts of which, mission can shift to another

Unless it was willing t own, which clearly it was n It could work with only the mation in which it was subm agencies. The full measure misrepresent a crime is beyo son. At the time of this w City in which an innocent m barbaric crimes of which he sion was complete with detai The public is outspoken and to spectacular crimes and th human. As a result of this "solve" nothing and their a rights of innocent citizens. too often been convicted in as Chief Justice Warren hims jeopardized.

The investigation of th alone was of so highly dubio faults that, in itself, it c book. Perhaps experts will sion inherited this botch an with the imprint of its appr

Rarely has a crime of s presence of so many police. lice, including ranking offi Secret Service agents and sh the shots was reported withi building from which the shot immediately pointed out. Ye not ever - despite the obfus the entire two or three bloc cial, but there was not even